

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2063**

**House Bill No. 2024\***

by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 40-25-123(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(1) Notwithstanding any law to the contrary, a general sessions or criminal court judge may either:

(A) Suspend the court costs and litigation tax as required by §§ 67-4-602 - 67-4-606, for any indigent criminal defendant, as in the judge's opinion the equities of the case require; or

(B) Upon the application of an indigent defendant, refer the defendant to the program described in subdivision (c)(2) if the county legislative body has voted to approve such program. Upon certification of the court clerk that the defendant has successfully completed the requirements of subdivision (c)(2), the judge may suspend the court costs and litigation tax as required by §§ 67-4-602 - 67-4-606, for any indigent criminal defendant, as in the judge's opinion the equities of the case require.

(2)

(A) The court clerk for a general sessions or criminal court may, in the clerk's discretion, submit a request in writing to the county legislative body to implement a program of community service for indigent criminal defendants in lieu of full payment of court costs and litigation taxes. A county legislative body



0183590113



\*015723\*

receiving such request shall vote, within thirty (30) days, whether to approve the request. If a county legislative body votes to approve the request pursuant to subdivision this (c)(2)(A), then the clerk may implement the program.

(B) Upon referral pursuant to subdivision (c)(1)(B), the clerk may determine whether the defendant qualifies for the program based upon the guidelines adopted by the clerk. The guidelines may include evaluation of the defendant's ability to pay the court costs and litigation taxes. The clerk may remove the defendant from the program at any time due to failure to comply with the program guidelines. The number of applicants accepted and the duration and continuation of the program shall be at the discretion of the clerk. Participation in the community service program established by this subdivision (c)(2) shall not operate to stay a revocation of a license pursuant to § 40-24-105(b); nor shall participation in the program operate to stay collection activity pursuant to § 40-24-105(d) for any of the defendant's cases not approved for inclusion by the clerk.

SECTION 2. This act shall take effect at 12:01 a.m. on July 1, 2018, the public welfare requiring it.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 919**

**House Bill No. 825\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-103, is amended by adding the following as a new subdivision (7):

(7) Available community-based alternatives to confinement and the benefits that imposing such alternatives may provide to the community should be considered when the offense is nonviolent and the defendant is the primary caregiver of a dependent child.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.



094308981



\*016139\*

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1637**

**House Bill No. 1467\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-103, is amended by adding the following new subdivision to be designated as (b)(4) and redesignating present subdivision (b)(4) accordingly:

(4) Reckless endangerment by discharging a firearm into the air above a parade, religious service, concert, athletic event, political event, educational event, or any group of twenty-five (25) or more people who are lawfully assembled is a Class C felony.

Discharging a firearm under the circumstances described in this subdivision (b)(4) by a member of a law enforcement agency or any branch of the military acting in the course of the person's official duties shall not be an offense under this subdivision (b)(4).

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to all offenses occurring on or after that date.



052820551



\*014647\*

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2307\***

**House Bill No. 2408**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-117(a)(2), is amended by adding the following after the last sentence:

If the court releases the child on an appearance bond, the amount of the bond shall be reasonable, based on the financial ability of the child, child's parents, legal custodians, or guardians to pay the bond.

SECTION 2. Tennessee Code Annotated, Section 37-1-159(f), is amended by adding the following after the last sentence:

If the court releases the child on a bond, the amount of the bond shall be reasonable, based on the financial ability of the child, child's parents, legal custodians, or guardians to pay the bond.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to the determination of a child's release on or after that date.



010745881



\*016005\*

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1934**

**House Bill No. 1954\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-417(g)(1), is amended by deleting the language "one-half (1/2) ounce (14.175 grams)" and substituting instead the language "one (1) ounce (28.350 grams)".

SECTION 2. Tennessee Code Annotated, Section 39-17-418(b), is amended by deleting the language "one-half (1/2) ounce (14.175 grams)" and substituting instead the language "one (1) ounce (28.350 grams)".

SECTION 3. Tennessee Code Annotated, Section 39-17-419, is amended by deleting the language "It may be inferred" in the first sentence and substituting instead the language "Except as provided in subsection (b), it may be inferred".

SECTION 4. Tennessee Code Annotated, Section 39-17-419, is amended by redesignating the current language as subsection (a) and adding the following language as a new subsection:

(b) The purpose to sell or otherwise dispense shall not be inferred solely from the possession or casual exchange of less than one (1) ounce of marijuana.

SECTION 5. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) A person commits especially aggravated assault who:

(1)

(A) Intentionally or knowingly commits an assault as defined in §  
39-13-101;



058538151



\*016023\*

(B) Causes serious bodily injury to another; and

(C) Uses or displays a deadly weapon; or

(2)

(A) Recklessly commits an assault as defined in § 39-13-

101(a)(1);

(B) Causes serious bodily injury to another; and

(C) Uses or displays a deadly weapon.

(b) Especially aggravated assault under subdivision (a)(1) is a Class B felony.

Especially aggravated assault under subdivision (a)(2) is a Class C felony.

SECTION 6. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**AMEND Senate Bill No. 2221**

**House Bill No. 2162\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-14-107, is amended by deleting subdivision (c)(1) and substituting instead the following:

Effective July 1, 2018, all full-time district investigators shall be compensated according to the following pay schedule:

|                           |          |
|---------------------------|----------|
| Entry level               | \$33,852 |
| after two (2) years       | \$36,924 |
| after four (4) years      | \$39,972 |
| after six (6) years       | \$43,032 |
| after eight (8) years     | \$46,164 |
| after ten (10) years      | \$49,188 |
| after twelve (12) years   | \$52,320 |
| after fourteen (14) years | \$55,332 |
| after sixteen (16) years  | \$58,428 |
| after eighteen (18) years | \$61,512 |
| after twenty (20) years   | \$64,584 |

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



0917424505



\*016188\*



Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2062**

**House Bill No. 2111\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-432(b), is amended by deleting subdivision (1) and substituting instead the following:

A violation of § 39-17-417, or a conspiracy to violate the section, that occurs on the grounds or facilities of any school, within five hundred feet (500') of or within an area bounded by a divided state or federal highway, whichever is less, and the real property that comprises a public or private elementary school, middle school, secondary school, preschool, child care agency, or public library, recreational center, or park shall be punished one (1) classification higher than is provided in § 39-17-417(b)-(i) for such violation.

SECTION 2. Tennessee Code Annotated, Section 39-17-417, is amended by deleting subsection (k) and substituting instead the following:

(k) A violation of this section or a conspiracy to violate this section where the recipient or the intended recipient of the controlled substance is under eighteen (18) years of age shall be punished from within one (1) sentencing range higher than the sentencing range otherwise appropriate for the person.

SECTION 3. Tennessee Code Annotated, Section 39-17-418, is amended by deleting subsection (d) and substituting instead the following:

(d) A violation of subsections (a) or (b), where there is casual exchange to a minor from an adult who knows that the person is a minor, shall be punished as a felony according to § 39-17-417 and from within one (1) sentencing range higher than the sentencing range otherwise appropriate for the person.



0015021905



\*013347\*

SECTION 4. Tennessee Code Annotated, Title 8, Chapter 7, Part 2, is amended by adding the following new section:

(a) There is created in eighteen (18) judicial districts the position of alternative sentencing coordinator to be appointed by the district attorney general of the applicable district. The district attorneys general conference is authorized to select which eighteen (18) judicial districts will receive an alternative sentencing coordinator position under this section.

(b) The duties of the alternative sentencing coordinator shall include:

(1) Assessing and maintaining a thorough understanding of the alternative sentencing options available in the judicial district, including an accurate inventory of treatment facilities and space availability;

(2) Developing and maintaining a thorough understanding of drug courts, including participation in training or certification programs approved through the local court and the district attorneys general conference;

(3) Assisting the district attorney in providing education and public awareness of available program and treatment opportunities as directed by the district attorney and in coordination with the district attorneys general conference;

(4) Assessing, after the return of an indictment or presentment, whether an offender's alleged criminal conduct was directly linked to controlled substance abuse;

(5) Identifying offenders who have a willingness and likelihood of successful participation in alternative sentencing, including treatment and other intervention;

(6) Recommending to the district attorney those offenders who should be considered for alternative sentencing; and

(7) Creating and maintaining an up-to-date list of those offenders who receive alternative sentencing.

SECTION 5. Tennessee Code Annotated, Title 8, Chapter 14, Part 1, is amended by adding the following new section:

(a) The district public defenders conference shall establish, and the executive director shall operate, the district public defender appellate division for the purpose of representing indigent persons in direct appeals pursuant to § 8-14-104 in the Tennessee court of criminal appeals and Tennessee supreme court.

(b) The executive director or the executive director's designee shall be the director of the appellate division.

(c) Any assistant district public defender of the appellate division shall be an attorney licensed to practice law in this state. Persons so employed shall serve at the direction of the executive director and shall perform such duties as the executive director may require.

(d) The appellate division shall represent indigent persons upon appeal from the circuit or criminal courts in this state.

(1) The appellate division shall represent indigent appellants pursuant to § 8-14-101.

(2) The appellate division may, however, refuse the appointments where necessary:

(A) Due to a conflict of interest; or

(B) If the executive director determines the existing caseload cannot be increased without jeopardizing the appellate division's ability to provide effective representation.

(e) In order to effectively and efficiently use the resources of the appellate division, the executive director may:

(1) Select and employ staff attorneys to perform the duties prescribed by this section; and

(2) Fill a full-time employee position with two (2) part-time employees. In order to implement such assignments, available funds may be reallocated or transferred subject to overall budgetary limits.

(f) The appellate division shall maintain records of representation of indigent persons for record purposes only.

(g) No person employed as a full-time assistant public defender in the appellate division pursuant to this section shall be permitted to engage in the practice of law except as the duties of such position requires. Notwithstanding any other restrictions, attorneys with pending private legal matters at the time of employment with the district public defender appeals division shall have a reasonable length of time to conclude or transfer such cases in keeping with the standards of professional and ethical conduct.

(h) Effective July 1, 2018, there are authorized five (5) appellate-level attorney positions within the appellate division.

(i) Appellate division attorneys shall be compensated pursuant to § 8-14-107.

SECTION 6. Tennessee Code Annotated, Section 8-14-303(a), is amended by adding the following new subdivision:

( ) Manage the operations and administer the accounts that relate to the appellate division;

SECTION 7. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**AMEND Senate Bill No. 2711**

**House Bill No. 2110\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-102(e), is amended by adding the following new subdivision:

(4) In addition to any other punishment that may be imposed for a violation of this section, if the relationship between the defendant and the victim of the assault is such that the victim is a domestic abuse victim as defined in § 36-3-601, the court shall assess each person convicted an electronic monitoring indigency fee of ten dollars (\$10.00). All proceeds collected pursuant to this subdivision (e)(4) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 2. Tennessee Code Annotated, Section 39-13-111(c), is amended by adding the following new subdivision:

(7) In addition to all other fines, fees, costs, and punishments now prescribed by law, the court shall assess each person convicted of domestic assault an electronic monitoring indigency fee of ten dollars (\$10.00). All proceeds collected pursuant to this subdivision (c)(7) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 3. Tennessee Code Annotated, Title 40, is amended by deleting the language "DUI monitoring fund" wherever it appears and substituting instead the language "electronic monitoring indigency fund".



0382320605



\*015640\*

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by deleting the language "DUI monitoring fund" wherever it appears and substituting instead the language "electronic monitoring indigency fund".

SECTION 5. Tennessee Code Annotated, Section 55-10-419(g)(2), is amended by deleting the language "The fee assessed pursuant to § 55-10-413(a)" and substituting instead the language "The fees assessed pursuant to §§ 55-10-413(a) and 69-9-219(c)(9)".

SECTION 6. Tennessee Code Annotated, Section 55-10-417, is amended by adding the following new subsection:

(m) In addition to all other fines, fees, costs, and punishments now prescribed by law, upon ordering the use of a functioning ignition interlock device pursuant to § 55-10-409 or subdivision (a)(1), subdivision (a)(2), or subsection (k), the court shall assess a one-time ignition interlock initial use fee of twelve dollars (\$12.00) if the person has not previously been ordered by a court of this state to use a functioning ignition interlock device. All proceeds collected pursuant to this subsection (m) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 7. Tennessee Code Annotated, Section 55-10-419(g)(1), is amended by deleting the language "All proceeds collected pursuant to § 55-10-413(a)" and substituting instead the language "All proceeds collected pursuant to §§ 55-10-413(a) and 69-9-219(c)(9)".

SECTION 8. Tennessee Code Annotated, Section 69-9-219(c), is amended by adding the following new subdivision:

(9) In addition to all other fines, fees, costs, and punishments now prescribed by law, an ignition interlock fee of forty dollars (\$40.00) shall be assessed for each violation of § 69-9-217, occurring on or after July 1, 2018, and resulting in a conviction for such offense. All proceeds collected pursuant to this subdivision (c)(9) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 9. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act shall be severable.

SECTION 10. The Tennessee Code Commission is requested to change all references to the "DUI monitoring fund" found in section headings to "electronic monitoring indigency fund".

SECTION 11. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to offenses committed on or after that date.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**AMEND Senate Bill No. 1993\***

**House Bill No. 2256**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-609, is amended by deleting subsection (d) and substituting instead the following:

(d) A law enforcement agency is authorized to use a drone in a manner consistent with applicable Federal Aviation Administration rules, exemptions, or other authorizations:

(1) To counter a high risk of a terrorist attack by a specific individual or organization if the United States secretary of homeland security determines that credible intelligence indicates that there is such a risk;

(2) If the law enforcement agency first obtains a search warrant signed by a judge authorizing the use of a drone or without a warrant in accordance with a judicially recognized exception to the warrant requirement;

(3) If there is reasonable suspicion that, under particular circumstances, immediate action is needed to prevent imminent danger to life;

(4) To provide continuous aerial coverage when law enforcement is searching for a fugitive or escapee or is monitoring a hostage situation;

(5) To provide more expansive aerial coverage when deployed for the purpose of searching for a missing person;

(6) To investigate motor vehicle accidents that occur within the traffic right-of-way or an area open to the public;



081441901



\*016277\*



(7) To search for and collect evidence or information in an area open to the public where a criminal offense has occurred or an area open to the public where the law enforcement agency has reasonable suspicion that a criminal offense has occurred; or

(8) To search for and collect data at the scene of a fire investigation.

SECTION 2. Tennessee Code Annotated, Section 39-13-609, is amended by deleting subsection (f) and substituting instead the following:

(f) Any data collected by use of a drone shall be retained or deleted by the collecting law enforcement agency in accordance with the same criteria, policies, and procedures used by the agency for data collected by methods other than a drone.

SECTION 3. Tennessee Code Annotated, Section 39-13-609, is amended by deleting subdivision (g)(1) and substituting instead the following:

(1) Any law enforcement agency that uses a drone, or other substantially similar device to gather evidence or obtain information, shall comply in all respects with the fourth amendment to the Constitution of the United States and Article I, § 7 of the Constitution of Tennessee.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2635**

**House Bill No. 2501\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) A person commits aggressive driving who, during one (1) event of continuous driving of a vehicle, with the intent to annoy, harass, molest, intimidate, injure, or obstruct another person, commits at least two (2) of the following:

- (1) Reckless driving, in violation of § 55-10-205;
- (2) Operating in the passing lane when not overtaking and passing a vehicle in a nonpassing lane, in violation of § 55-8-204;
- (3) Impeding the flow of traffic, in violation of § 55-8-154;
- (4) Overtaking on the right, in violation of § 55-8-118;
- (5) Overtaking and passing in no passing zones, in violation of § 55-8-121;
- (6) Following too closely, in violation of § 55-8-124;
- (7) Failing to operate a vehicle properly for approaching or stationary, authorized emergency vehicles, in violation of § 55-8-132;
- (8) Failing to yield to pedestrians, in violation of § 55-8-134;
- (9) Driving in excess of posted speed limits, in violation of § 55-8-152 or § 55-8-153; or
- (10) Following fire apparatus, in violation of § 55-8-168.

(b) A violation of subsection (a) is a Class C misdemeanor punishable by confinement for not more than thirty (30) days, or a fine not to exceed one thousand



065321861



\*016274\*

dollars (\$1,000), or both. If the person intends to injure another person, a violation of subsection (a) is a Class A misdemeanor.

(c) It is a defense to a violation of subsection (a) if the vehicle becomes disabled while on the highway in such a manner or to such an extent that it is impossible to avoid committing a violation of subsection (a).

(d)

(1) If a person convicted for an offense under this section is the holder of a valid motor vehicle operator's license issued by this state, then the court shall order the surrender of the person's operator license to the department of safety and shall order the issuance of a restricted license for a period six (6) months for a first offense, or one (1) year for a second or subsequent offense. Any restriction ordered pursuant to this subsection (d) shall be in addition to any restrictions currently placed on the person's driver license.

(2) The court shall not be required to issue a restricted license pursuant to subdivision (d)(1) if:

(A) Based upon the records of the department of safety the person has a prior conviction for a violation of vehicular assault under § 39-13-106, aggravated vehicular assault under § 39-13-115, vehicular homicide under § 39-13-213, or aggravated vehicular homicide under § 39-13-218; or

(B) A person was seriously injured or killed in the course of the conduct that resulted in the driver's conviction under this section.

(3) A restricted license ordered under subdivision (d)(1) may only allow the person convicted to operate a motor vehicle for the purpose of going to and from:

(A) Work at the person's regular place of employment;

(B) A postsecondary institution of higher education in the case of a student enrolled in the institution;

(C) A program to obtain a general educational development (GED®) credential or the High School Equivalency Test (HiSET®) credential in the case of a student enrolled in such program;

(D) The office of the person's probation officer or other similar location for the sole purpose of attending a regularly scheduled meeting or other function with the probation officer by a route to be designated by the probation officer;

(E) A court-ordered driver safety or driver training program;

(F) A court-ordered alcohol safety program;

(G) A court-ordered outpatient alcohol and drug treatment program; and

(H) The person's regular place of worship for regularly scheduled religious services conducted by a bona fide religious institution as defined in § 48-101-502(c).

(4)

(A) Where the restriction of a person's license is the first restriction of the person's license pursuant to this section, the application for a new license may be made after the expiration of six (6) months from the date on which the person's operator license was ordered surrendered by the court. A person applying for a new license under this subdivision (d)(4)(A) is not required to pay an application or other fee.

(B) Where the restriction of a person's license is a second or subsequent restriction of the person's license pursuant to this section, the application for a new license may be made after the expiration of one (1) year from the date on which the person's operator license was ordered surrendered by the court. A person applying for a new license under this subdivision (d)(4)(B) is not required to pay an application or other fee.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2716**

**House Bill No. 2578\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by deleting subdivision (g)(1)(B)(xlv) and substituting instead the following:

(xlv) Section 55-10-401 — Driving under the influence of an intoxicant, except as provided in subdivision (g)(1)(F);

SECTION 2. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following new subdivision (g)(1)(F):

(F) A person who was convicted of driving under the influence of an intoxicant, if:

(i) The person was less than twenty (20) years of age at the time of the offense;

(ii) The incident resulting in the conviction did not result in a motor vehicle accident;

(iii) The judge finds that there are mitigating circumstances surrounding the conviction;

(iv) The person presents proof that the person has attended a victims impact panel, as provided by § 55-10-410(a)(1)(B); and

(v) The person agrees to operate only a motor vehicle that is equipped with a functioning ignition interlock device for a period of six (6) months. Upon receiving the petition for expunction pursuant to this subdivision (g)(1)(F), the court shall order the issuance of a restricted motor vehicle operator's license subject to such limitations. The person shall present the court order to the



008788261



\*016272\*

department of safety with proof to the satisfaction of the department that a functioning ignition interlock device has been installed and will be maintained on one (1) or more vehicles to be operated by the person for the duration of the restricted license. The installation, use, and removal of an ignition interlock device pursuant to this subdivision (g)(1)(F) shall be compliance-based in accordance with § 55-10-425. The person shall pay all fees and costs associated with the installation and maintenance of the ignition interlock device. Upon successful completion of the court-ordered six-month period, with no violations of the conditions of § 55-10-425(d), the person may present a certificate of compliance from the ignition interlock provider to the department of safety, which shall remove the ignition interlock restrictions from the person's license, and to the court, which shall grant the person's expunction petition, if the person has met all other requirements of this subsection (g).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2505**

**House Bill No. 2032\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-153(f), is amended by adding the following language as a new subdivision:

(12) The court may order all or any portion of a juvenile's court files and juvenile records expunged if:

(A) The juvenile is tried and adjudicated delinquent or unruly by a juvenile court for conduct that would constitute the offense of prostitution under § 39-13-513 or aggravated prostitution under § 39-13-516 if committed by an adult;

(B) The court finds that that the conduct upon which the adjudication is based was found to have occurred as a result of the person being a victim of human trafficking under § 39-13-314; and

(C) The juvenile has filed a motion for expunction of all court files and juvenile records.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to motions filed on or after that date.



018813721



\*016269\*